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TREATY COMPLIANCE

by Robert J. Einhorn

Testifying before Congress in July 1981, Eugene Rostow, director of the Arms Control and Disarmament Agency (ACDA), put his finger on one of the central dilemmas of arms control: "No arms control agreement can contribute to the goal of a peaceful world unless we have confidence that the Soviet Union is abiding by its terms." The problem, of course, is that it is very difficult to have confidence in the behavior of a powerful and secretive adversary that has demonstrated time and again that it has few scruples about making gains at U.S. expense when good opportunities present themselves.

Americans do not trust the Russians, and this deep-seated distrust has contributed to the belief that the Soviets cannot be counted on to live up to their obligations under arms control agreements. How, many Americans might ask, can you expect the Soviets not to cheat in arms control when they claimed their invasion of Afghanistan was requested by the Afghan leader who was executed upon the arrival of Soviet troops?

A Louis Harris and Associates poll conducted shortly after the 1980 U.S. presidential election points out how distrust of the Soviets can undercut domestic support for arms control. Although 90 per cent of those polled favored the idea of "President-elect Reagan sitting down with the Russians to try to come to an agreement on controlling nuclear arms," about half of the 90 per cent agreed with the statement that "because the chances are that we will keep our end of the bargain and the Russians will not, we should not sign any agreement limiting nuclear weapons."

Conscious of the public's attitudes—and

convinced themselves of the merits of a prudent and skeptical approach toward dealing with the Soviets—all U.S. administrations engaged in arms control negotiations in recent decades, whether Republican or Democratic, have sought to avoid any implication that they would rely on trust or good will in implementing agreements with the Soviets. Instead, they have maintained that such agreements would be based on the ability to monitor, through the use of sophisticated intelligence-gathering techniques, whether the Soviets were actually abiding by their commitments. In other words, effective verification measures and compliance procedures would compensate for a lack of trust in the Soviet Union and would promote the public confidence and support necessary to sustain arms control efforts in a democratic society. How well has this approach worked?

Controversial questions regarding Soviet compliance have arisen in implementing several of the arms control agreements concluded during the past decade:

- **SALT I.** In the case of the 1972 SALT I accords—the Anti-Ballistic Missile (ABM) Treaty and the Interim Agreement on the Limitation of Strategic Offensive Arms—the problems have come not in observing Soviet behavior, but in determining whether certain observed Soviet activities should be regarded as consistent with the agreements' provisions.

Among the more widely publicized of these issues were whether construction of new silos the Soviets claimed were for launch-control purposes was consistent with the ban on building additional silos for intercontinental ballistic missiles (ICBMs); whether the tracking of ballistic missiles in flight by the SA-5 antiaircraft radar was consistent with the ban on testing such radars in an ABM mode; and whether the replacement of the SS-11 ICBM with the much larger SS-19 was consistent with the ban on converting launchers for light ICBMs to launchers for heavy ones.

Officials involved in monitoring SALT compliance in the Nixon, Ford, and Carter administrations acknowledge that the Soviets have tried to exploit ambiguities and have disregarded U.S. views on the spirit of the accords. But they argue that little basis exists for the

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